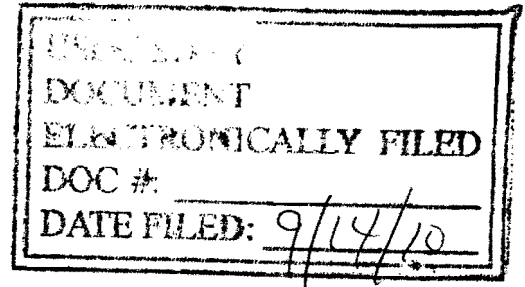


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September 14, 2010

VIA ELECTRONIC MAIL

The Honorable Shira A. Scheindlin  
United States District Judge for the  
Southern District of New York  
500 Pearl Street — Room 1620  
New York, New York 10007

Re: *In Re MTBE Litigation*, MDL 1358  
Deadline Extension, CMO #64

Dear Judge Scheindlin:

We represent the plaintiffs in the above-referenced litigation and write to request an extension for a specific expert report.

CMO #64 established a deadline of September 15, 2010 for plaintiffs to submit their non-case-specific expert reports. One of plaintiffs' identified experts, Dr. Graham Fogg, suffered a death in his family this past weekend. As a courtesy to him, plaintiffs request a modification to CMO #64 permitting the production of Dr. Fogg's report to the defendants one week later on September 22, 2010. Defendants have no objection to plaintiffs' request if the Order can be further amended to permit the rebuttal report of Elizabeth Anderson to be served on October 22, 2010, a corresponding week later than the date specified in CMO #64.

Plaintiffs accordingly request, with defendants' consent, that the Court amend CMO #64 to permit the disclosure of Graham Fogg's report on September 22, and the disclosure of Elizabeth Anderson's report on October 22, 2010.

Respectfully submitted,

WEITZ & LUXENBERG, P.C.

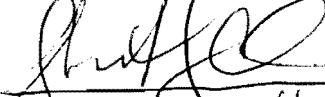
  
William A. Walsh

cc: All Counsel of Record

Plaintiffs' and Defendants' requests  
for one-week extensions are  
granted.

Dated: September 14, 2010

SO ORDERED:

  
Shira A. Scheindlin, USDS